

ROPES & GRAY
ONE INTERNATIONAL PLACE
BOSTON, MA 02110-2624
PHONE: (617) 951-7000
FAX: (617) 951-7050

#8
JULS
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FAX TRANSMITTAL LETTER

Total Number of pages including this transmittal letter: 5

<u>Name</u>	<u>Firm/Company</u>	<u>Fax Number</u>	<u>Phone Number</u>
Examiner Janet L. Andres	United States Patent & Trademark Office	703-746-5135	703-305-0557

From: David P. Halstead

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Date: October 3, 2002

Time: 2:47 PM

File Symbol: HMSU-P14-006

Personal ID Number: 28436

Submitted By: Farah Zafar for David P. Halstead

Phone: (617) 951-7615

U.S. Application No.: 09/711,724

Filing Date: November 13, 2000

Title: Screening Assays for Hedgehog Agonists and Antagonists

Inventors: Tabin, et al.

Our Reference No.: HMSU-P14-006

Examiner Andres,

As per request, enclosed please find a *copy* of the Response to Restriction Requirement as sent to the USPTO via facsimile on March 27, 2002.

Please do not hesitate to contact me should you have any questions or concerns. Thank you.

Sincerely,
David P. Halstead

THIS DOCUMENT IS INTENDED ONLY FOR THE USE OF THE PERSON TO WHOM IT IS ADDRESSED. IT MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If you are not the intended recipient, any dissemination, distribution, copying or use of this document is strictly prohibited. If you have received this communication in error, please notify us by telephone (Collect: (617) 951-7000) to arrange for the destruction or return of the original document to us.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Tabin et al.

Serial No: 09/711,724

Filed: November 13, 2000

For: Screening Assays for Hedgehog
Agonists and Antagonists

Attorney Docket No. HMSU-P14-006

Art Unit: 1646

Examiner: J. Andres

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to Fax Number 703-872-9306 in the United States Patent and Trademark Office on the date indicated below:

March 27, 2002

Date of Signature
and of Facsimile
Dawn Harmon**RESPONSE TO RESTRICTION REQUIREMENT**Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement, which was mailed from the U.S. Patent and Trademark Office on February 27, 2002, in the above-identified patent application, Applicants elect species c for search purposes only, drawn to methods of detection based on the expression of particular genes. Applicants point out that the claims encompass overlapping subject matter based on an assay for identifying compounds which mimic the bioactivity of a hedgehog protein. Accordingly, searches related to species a, b and c are co-extensive, and can be conducted simultaneously without significant additional burden. Nevertheless, for search purposes, Applicants elect species c. Applicants submit that claims 1, 3, 6, 7, 17, 19-23, 26, 27, 29, 30, 32-36, 42-49, and 63-77 are elected with traverse by this response.

In addition, Applicants respectfully remind the Examiner that upon allowance of a generic claim, all claims properly dependent thereon must be considered. MPEP 809.02(c).

REMARKS

Claims 1, 3-7, 17-27, 29-36, 42-49 and 63-77 constitute the pending claims in the present application, and Applicants elect inventions of species c for search purposes only. If any clarification of the above response would facilitate prosecution of this application, Applicants respectfully request that the Examiner contact the undersigned at 617-951-7000. Should an extension of time be required, Applicants hereby petition for same and request that the extension fee and any other fee required for timely consideration of this submission be charged to Deposit Account No. 18-1945.

Date: March 27, 2002

Customer No: 28120
Docketing Specialist
Ropes & Gray
One International Place
Boston, MA 02110

Respectfully Submitted,



David P. Halstead
Reg. No. 44,735

ROPES & GRAY
ONE INTERNATIONAL PLACE
BOSTON, MA 02110-2624
PHONE: (617) 951-7000
FAX: (617) 951-7050

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J. Andres	U.S. Patent & Trademark Office	703-872-9306	703-305-0557

From: Melissa S. Rones, Ph.D.

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File Symbol: HMSU-P14-006

Personal ID Number:

Submitted By:

Phone:

Comments: Transmitted here please find a response to Restriction Requirement for the above reference application.

Application of: Tabin et al.

Serial No: 09/711,724

Filed: November 13, 2000

Screening Assays for Hedgehog Agonists and Antagonists

Our Ref. No. HMSU-P14-006

If you have any questions, please feel free to contact me.

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OCT-03-2002 15:17

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P.05

***** -COMM. JOURNAL- ***** DATE MAR-27-2002 TIME 15:33 *** P.01

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